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2839

Docket No.: 244043US8

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ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/099,855

Applicants: Takahiro OGAWA, et al.

Filing Date: March 14, 2002

For: DOUBLE-SIDED FERRULE MANUFACTURING
METHOD, AUXILLARY MEMBER USED THEREIN,
END SURFACE POLISHING METHOD FOR
DOUBLE-SIDED FERRULE, OPTICAL
CONNECTOR ASSEMBLING METHOD, OPTICAL
CONNECTOR, GUIDE PIN, AND OPTICAL
CONNECTOR CONNECTING METHOD USING
THE SAME

Group Art Unit: 2839

Examiner: NGUYEN, K.

SIR:

Attached hereto for filing are the following papers:

Response to Election of Species Requirement

Our check in the amount of -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
[Signature]

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DOCKET NO: 244043US8



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

TAKAHIRO OGAWA, ET AL. : EXAMINER: NGUYEN, K.

SERIAL NO: 10/099,855 :

FILED: MARCH 14, 2002 : GROUP ART UNIT: 2839

FOR: DOUBLE-SIDED FERRULE
MANUFACTURING METHOD,
AUXILLARY MEMBER USED THEREIN,
END SURFACE POLISHING METHOD
FOR DOUBLE-SIDED FERRULE,
OPTICAL CONNECTOR ASSEMBLING
METHOD, OPTICAL CONNECTOR,
GUIDE PIN, AND OPTICAL
CONNECTOR CONNECTING METHOD
USING THE SAME

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election requirement dated March 3, 2004, Applicants provisionally elect with traverse Species V, Claims 17-21, for further examination on the merits in the present application. Applicants reserve the right to file a divisional application directed to the non-elected species of Claims 1-16.

The Election Requirement asserts that the application contains claims to patentably distinct inventions. However, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Application No. 10/099,855
Reply to Office Action of March 3, 2004

It is believed that the claims of the present application would have to be searched in one subclass or overlapping subclasses. Accordingly, Applicants respectfully traverse the Election Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would be a serious burden on Applicants to prosecute and maintain separate applications.

Therefore, it is respectfully requested that the requirement to elect a single species be withdrawn, and that a full examination on the merits of Claims 1-25 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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